

**IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF MONTANA  
GREAT FALLS DIVISION**

UNITED STATES OF AMERICA,

Plaintiff,

vs.

HIRAM EVANS,

Defendant.

**CR-12-93-GF-BMM**

**ORDER**

United States Magistrate Judge John Johnston entered Findings and Recommendations in this matter on November 18, 2020. (Doc. 67.)

When a party makes no objections, the Court need not review *de novo* the proposed Findings and Recommendations. *Bad Old Man v. Arn*, 474 U.S. 140, 153-52 (1986). This Court will review Judge Johnston's Findings and Recommendations, however, for clear error. *McDonnell Douglas Corp. v. Commodore Bus. Mach., Inc.*, 656 F.2d 1309, 1313 (9th Cir. 1981).

Judge Johnston conducted a revocation hearing on November 17, 2020. (Doc. 63.) The United States accused Evans of violating his conditions of

supervised release 1) by failing to report for polygraph testing; 2) by failing to report to his probation officer and directed; and 3) by failing to report for sex offender treatment. (Doc. 59.)

At the revocation hearing, Evans admitted that he had violated the conditions of his supervised release 1) by failing to report for polygraph testing; 2) by failing to report to his probation officer and directed; and 3) by failing to report for sex offender treatment . (Doc. 63.) Judge Johnston found that the violations Evans admitted proved to be serious and warranted revocation, and recommended that Bird receive a custodial sentence of 4 months of custody with 30 months supervised release to follow. Evans was advised of the 14 day objection period and his right to allocute before the undersigned. (Doc. 63.)

The violations prove serious and warrant revocation of Evans' supervised release. The Court finds no clear error in Judge Johnston's Findings and Recommendations.

Accordingly, **IT IS ORDERED** that Judge Johnston's Findings and Recommendations (Doc. 67) are **ADOPTED IN FULL. IT IS FURTHER ORDERED** that Defendant Hiram Evans be sentenced to a period of 4 months custody with 30 months supervised release to follow.

DATED this 3rd day of December, 2020.

A handwritten signature in blue ink that reads "Brian Morris". The signature is written in a cursive, flowing style.

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Brian Morris, Chief District Judge  
United States District Court